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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/034,704

12/27/2001

Troy Raymond Pesola

2001-066-NSC

1507

7590

02/08/2005

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EXAMINER

PEREZ, ANGELICA

ART UNIT

PAPER NUMBER

2684

DATE MAILED: 02/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/034,704

Applicant(s)

PESOLA, TROY RAYMOND

Examiner

Angelica M. Perez

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 13 September 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-8, 10 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ereckson (Ereckson, Rich; US Patent No.: 6,622,018 B1) in view of Hermann (Hermann et al.; US Patent No.: 6,633,757 B1).

Regarding claim 1, Erekson teaches of a method for synchronizing managed data stored by at least first and second computing devices (column 1, lines 6-11), the method comprising: establishing a communication link between the first and second computing devices (column 4, lines 42-53; where a first and second computing devices can be two PC's or other devices with computing capabilities); automatically identifying the managed data stored on the first computing device for synchronization (column 10, lines 48-52; e.g., "characteristics and capabilities"); automatically transferring synchronization information associated with the managed data stored on the first computing device to the second computing device over the communication link (column 5, lines 15-20; where automatic synchronization is done in Bluetooth); reconciling differences in the managed data stored on the first and second computing devices based on the synchronization information to generate reconciliation information (column 7, lines 53-60; e.g., "link mode negotiation and setup"); and transferring the

reconciliation information from the second computing device to the first computing device to synchronize the managed data (column 7 and 8, lines 64-67 and 1-3, respectively; where the transceiver transfers the reconciliation information).

Erekson teaches the process of setting up a connection and transferring data between wireless communications systems. However, Erekson does not teach where the managed data represents groups of documents that have been identified as part of a collaboration cell, and the documents are stored in independent or related files that are shared with a group of people working on a particular task or project.

In related art, related to adjacency-bound service discovery, Hermann (Hermann et al. teaches where the managed data represents groups of documents that have been identified as part of a collaboration cell, and the documents are stored in independent or related files that are shared with a group of people working on a particular task or project (column 7, lines 1-20; where Hermann's data transfer can be applied to "grad-school", "office" or home collaboration cell).

It would have been obvious to a one of ordinary skill in the art at the time the invention was made to combine Erekson's method for synchronizing managed data with Hermann's application in a collaboration cell in order to maintain communication with associated members of a group, as taught by Hermann.

Regarding claim 2, Erekson in view of Hermann teaches all the limitations of claim 1. Erekson further teaches where the step of establishing a communication link comprises establishing a wireless communication link (column 1, lines 6-7).

Regarding claim 3, Erikson in view of Hermann teaches all the limitations of claim 2. Erikson further teaches where the step of establishing a wireless communication link comprises automatically establishing a wireless communication link based on proximity of the first and second computing devices (column 4, lines 54-62; where proximity is an important feature of Bluetooth technology).

Regarding claim 4, Erikson in view of Hermann teaches all the limitations of claim 2. Erikson further teaches where the wireless communication link is a radio frequency communication link (column 4, lines 47-49; "short-range radio links").

Regarding claim 5, Erikson teaches all the limitations of claim 1. Erikson in view of Hermann further teaches where the step of establishing a communication link comprises exchanging authentication information (column 7, line 60).

Regarding claim 6, Erikson in view of Hermann teaches all the limitations of claim 5. Erikson further teaches where the authentication information includes information that uniquely identifies the first computing device (column 7, line 60; where it is inherent in the authentication process to uniquely identify the device in question).

Regarding claim 7, Erikson in view of Hermann teaches all the limitations of claim 6. Erikson further teaches where the authentication information includes a MAC address associated with a network interface card of the first computing device (column 8, lines 44-50).

Regarding claim 8, Erikson in view of Hermann teaches all the limitations of claim 5. Erikson further teaches where the authentication information includes

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information that uniquely identifies a user of the first computing device (column 7, line 60).

Regarding claim 10, Erikson teaches of a method for synchronizing managed data stored on a mobile computing device and a stationary computing device (column 1, lines 6-11; column 5 lines 24-30; e.g., "desktop computers" being "stationary computing devices"), the method comprising: automatically establishing a wireless communication link between the computing devices when the mobile computing device is within a predetermined proximity of the stationary computing device (column 4, lines 54-62; where proximity is an important feature of Bluetooth technology); automatically identifying the managed data for synchronization based on authentication of at least one of the mobile computing device and an associated user (column 7, line 60); and automatically exchanging synchronization information between the mobile and stationary computing devices such that the managed data stored on the mobile computing device matches the managed data stored on the stationary computing device (column 10, lines 48-52; column 5, lines 15-20; where automatic synchronization is done in Bluetooth and column 7, lines 53-60; e.g., "link mode negotiation and setup").

Erikson teaches the process of setting up a connection and transferring data between wireless communications systems. However, Erikson does not teach where the managed data represents groups of documents that have been identified as part of a collaboration cell, and the documents are stored in independent or related files that are shared with a group of people working on a particular task or project.

In related art, related to adjacency-bound service discovery, Hermann (Hermann et al. teaches where the managed data represents groups of documents that have been identified as part of a collaboration cell, and the documents are stored in independent or related files that are shared with a group of people working on a particular task or project (column 7, lines 1-20; where Hermann's data transfer can be applied to "grad-school", "office" or home collaboration cell).

It would have been obvious to a one of ordinary skill in the art at the time the invention was made to combine Ereksen's in view of Hermann's method for synchronizing managed data with Hermann's application in a collaboration cell in order to maintain communication with associated members of a group, as taught by Hermann.

Regarding claim 12, Ereksen in view of Hermann teaches all the limitations of claim 10. Ereksen further teaches where the step of automatically identifying the managed data comprises authenticating the mobile computing device based on a hardware address (column 8, lines 44-50; where the MAC address is a hardware address).

3. Claims 9 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ereksen in view of Hermann as applied to claims 8 and 10 above, and further in view of Schaefer (Schaefer, Donald E.; US Patent No.: 6,640,253 B2).

Regarding claims 9 and 11, Ereksen in view of Hermann teaches all the limitations of claims 8 and 10, respectively.

Ereksen does not teach where the authentication information includes biometric information associated with the user.

In related art concerning dynamic logic control of network units in AD-HOC communications networks, Schaefer teaches where the authentication information includes biometric information associated with the user (column 3, lines 54-62; e.g., "biometric sources").

It would have been obvious to a one of ordinary skill in the art at the time the invention was made to combine Ereksen's in view of Hermann's method for synchronizing managed data with Schaefer's biometric source in order to make the system authentication more reliable.

4. Claims 13-15, 17 and 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ereksen in view of Hermann as applied to claims 8 and 10 above, and further in view of Hanson (Hanson et al.; US Pub. No.: 2002/0,098,840 A1).

Regarding claim 13, Ereksen in view of Hermann teaches all the limitations of claim 10.

Ereksen in view of Hermann does not specifically teach of presenting conflicting data based on the synchronization data to a user for reconciliation.

In related art concerning a method and apparatus for providing mobile and other intermittent connectivity in a computing environment, Hanson teaches of presenting conflicting data based on the synchronization data to a user for reconciliation (paragraph 061; where the conflicting data is presented to the user; e.g., "action is being denied").

It would have been obvious to a one of ordinary skill in the art at the time the invention was made to combine Ereksen's in view of Hermann's method for



synchronizing managed data with Hanson's presenting conflicting data based on the synchronization data to a user in order allow the user to make modifications in the operations, as taught by Hanson.

Regarding claims 14 and 17, Erekson teaches of a system and computer readable storage medium (column 4, lines 6-9) for synchronizing managed data (column 1, lines 6-11), the system comprising: a mobile computing device having a wireless communication interface (column 6, lines 50-54) and a first storage medium for storing managed data (figure 2, item 104), the mobile computing device including a processor for running a synchronization client application (figure 2, item 101), where the synchronization server automatically establishes communication with the mobile computing device when the mobile computing device is within a predetermined area (column 4, lines 54-62; where Bluetooth technology functions within a predetermined area), automatically identifies the managed data on the mobile computing device (column 10, lines 48-52; e.g., "characteristics and capabilities"), and automatically transfers synchronization information via the synchronization server and client applications and the wireless communication interfaces to the synchronization (column 5, lines 15-20; where automatic synchronization is done in Bluetooth), the synchronization application reconciling differences between the managed data on the mobile computing device and the synchronization to synchronize the managed data (column 7, lines 53-60; e.g., "link mode negotiation and setup"); and transferring the reconciliation information from the second computing device to the first computing

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device to synchronize the managed data (column 7 and 8, lines 64-67 and 1-3, respectively; where the transceiver transfers the reconciliation information).

Erekson teaches the process of setting up a connection and transferring data between wireless communications systems. However, Erekson does not teach where the managed data represents groups of documents that have been identified as part of a collaboration cell, and the documents are stored in independent or related files that are shared with a group of people working on a particular task or project.

In related art, related to adjacency-bound service discovery, Hermann (Hermann et al. teaches where the managed data represents groups of documents that have been identified as part of a collaboration cell, and the documents are stored in independent or related files that are shared with a group of people working on a particular task or project (column 7, lines 1-20; where Hermann's data transfer can be applied to "grad-school", "office" or home collaboration cell).

It would have been obvious to a one of ordinary skill in the art at the time the invention was made to combine Erekson's method for synchronizing managed data with Hermann's application in a collaboration cell in order to maintain communication with associated members of a group, as taught by Hermann.

Erekson in view of Hermann does not specifically teach of a synchronization server having a wireless communication interface and a second storage medium for storing managed data, the synchronization server including a processor for running a synchronization server application.

In related art, concerning a method and apparatus for providing mobile and other intermittent connectivity in a computing environment, Hanson teaches of a synchronization server (paragraph 0023) having a wireless communication interface (paragraph 0005, lines 4-7) and a second storage medium for storing managed data (paragraph 0150), the synchronization server including a processor for running a synchronization server application (paragraph 0195, lines 1-3 and 1-12).

It would have been obvious to a one of ordinary skill in the art at the time the invention was made to combine Ereksen's and Hermann's combination method for synchronizing managed data with Hanson's server in order to change protocols according to the client's requests.

Regarding claim 15, Ereksen in view of Hermann, and further in view of Hanson teaches all the limitations of claim 14. Ereksen further teaches of means for uniquely identifying the mobile computing device (column 7, line 60); Hanson teaches where the synchronization server automatically transfers the synchronization information based on identity of the mobile computing device (paragraph 0141).

Regarding claim 19, Ereksen in view of Hermann, and further in view of Hanson teaches all the limitations of claim 17. Ereksen further teaches where the instructions for automatically identifying the managed data comprise instructions for authenticating the mobile computing device based on a hardware address (column 8, lines 44-50; where the MAC address is a hardware address).

Regarding claim 20, Ereksen in view of Hermann, and further in view of Hanson teaches all the limitations of claim 17. Hanson further teaches of instructions for

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presenting conflicting data based on the synchronization data to a user for reconciliation (paragraph 061; where the conflicting data is presented to the user; e.g., "action is being denied").

5. Claims 16 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Erikson in view of Hermann, further in view of Hanson as applied to claims 14 and 17 above, and further in view of Schaefer (Schaefer, Donald E.; US Patent No.: 6,640,253 B2).

Regarding claims 16 and 18, Erikson in view of Hanson teaches all the limitations of claims 14 and 17.

Erikson does not teach of means for collecting biometric information associated with a user of the mobile computing device where the authentication information includes biometric information associated with the user; where the synchronization server authenticates the biometric information before automatically transferring the synchronization information.

In related art concerning dynamic logic control of network units in AD-HOC communications networks, Schaefer teaches where the authentication information includes biometric information associated with the user (column 3, lines 54-62; e.g., "biometric sources").

It would have been obvious to a one of ordinary skill in the art at the time the invention was made to combine Erikson's method for synchronizing managed data with Schaefer's biometric source in order to have a in order to make the system authentication reliable.

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6. Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Pub. No.: 2002/0035451 A1, refers to spatial data enabled engineering, construction, and operations computer-aided design (CAD) project system, method and computer program product.

US Patent No.: 6,779,004 B1, refers to auto-configuring of peripheral on host/peripheral computing platform with peer networking-to-host/peripheral adapter for peer networking connectivity.

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US Pub. No.: 2003/0120685 A1, refers to a method and system for access to automatically synchronized remote files.


9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Angelica Perez whose telephone number is 703-305-8724. The examiner can normally be reached on 7:15 a.m. - 3:55 p.m., Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on 703-308-7745. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and for After Final communications.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the TC 2600's customer service number is 703-306-0377.

  
Angelica Perez  
(Examiner)  
January 27, 2005

  
NICK CORSARO  
PRIMARY EXAMINER

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